

REMARKS

This is a complete response to the outstanding Office Action mailed on June 18, 2010. Applicant respectfully requests reconsideration. Claims 1-12 were previously pending in this application. By this amendment, Applicant is canceling claim 11 without prejudice or disclaimer. Claims 1-3, 5 and 6 have been amended. As a result, claims 1-10 and 12 are pending for examination with claims 1 and 6 being independent claims. No new matter has been added.

Claim Rejections - 35 USC §103

The Examiner first rejects claims 1-3 and 6-10 as obvious over Datta in view of Manik.

In paragraph 10 of the Examination report, the Examiner asserts that Datta discloses all of the features of claim 1 with the exception of the feature

'each of said first plurality of terminals having an associated, direct, wide area network connection to the Internet, said associated, direct, wide area network connection to the Internet of a first one of said first plurality of terminals in the local area network different from an associated direct, wide

area network connection to the Internet of the remainder of said first plurality of terminals in the local area network."

Applicant respectfully disagrees and believes the Examiner is incorrect for at least the following reasons:

In the invention as originally claimed, steps (b) and (c) read as follows:

(b) dividing the request for information from said content server into a plurality of packets by said originating terminal;

(c) the originating terminal distributing the plurality of packets between a first plurality of terminals in the local area network;

Quoting from the Office Action, the Examiner states on page 4:

"(Datta, fig 3, page 19, paragraph 88, controller 308 divides the request into plurality of packets and distribute them to routers 310, 312, 314; even though the controller 308 is illustrated as a separate entity from node 306, according to page 12, paragraph 61, controller 308 can be implemented as a software on node 306)" and then

"(Datta, fig 3, packets are distributed over plurality of

routers 310, 312, 314 in the first local area network 302)".

Whether or not the controller can be implemented as software on a node, the fact remains that in Datta, the packets are distributed by the nodes amongst separate and distinct routers, whereas in order to anticipate the claimed features of the present invention, Datta would need to disclose a node distributing data to a plurality of other nodes.

In order to implement the claimed invention, additional routing software is installed in the terminals to ensure that outgoing packets are re-directed to active terminals (see para [0020, for example] of the application as filed). In order for packets to be routed to LAN terminals efficiently, it is necessary that each LAN terminal is aware of which of the other LAN terminals are active. Thus, as recited in amended claim 1, each active LAN terminal notifies the other LAN terminals and the reconstitution server that they are active by periodically transmitting an "ACTIVE" message (see for example paragraph [0022] of the application as filed) and claims 1 and 6 wherein it is recited: "each active terminal periodically sending a first status message to the other of the plurality of terminals in the local area network and to the reconstitution server to indicate that it

is active.

This feature was originally recited in claim 11, but has now been added as a further limitation to claims 1 and 6.

Therefore, to summarize, there are a number of differences between the invention as presently claimed and the disclosures of the closest prior art (Datta) namely:

"each active terminal periodically sending a first status message to the other of the plurality of terminals in the local area network and to a reconstitution server to indicate that it is active;"

*"the originating terminal distributing the plurality of packets between a first plurality of **active terminals** in the local area network;"*

AND

"each of said first plurality of terminals having an associated, direct, wide area network connection to the Internet, said associated, direct, wide area network connection to the Internet of a first one of said first plurality of terminals in the local area network different from an associated direct, wide area network connection to the Internet of the remainder of said first plurality of terminals in the local area network"

Therefore the originating terminal distributes the packets between a plurality of other active terminals such that the originating terminal shares the bandwidth of the associated, different wide area connections of the other active terminals.

The Applicant believes that this combination of novel features is neither shown nor suggested by any of the cited prior art documents either alone or in combination and therefore that this application is in order for acceptance."

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.


If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account Number 02-

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3285, under Docket Number DUMMETT-043XX.

Respectfully submitted,

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